JUDGMENT

FILED: February 13, 2006

UNITED STATES COURT OF APPEALS

for the

Fourth Circuit

No. 04-4064 CR-02-191-MU FILED CHARLOTTE, N. C.

UNITED STATES OF AMERICA

Plaintiff - Appellee

FFB 1 7 2006

U. S. DISTRICT COURT W. DIST. OF N. C.

LESLIE FOUNTRESA FREEMAN

v.

Defendant - Appellant

Appeal from the United States District Court for the Western District of North Carolina at Charlotte

In accordance with the written opinion of this Court filed this day, the Court vacates the judgment of the District Court. This case is remanded to the District Court for further proceedings consistent with the Court's opinion.

A certified copy of this judgment will be provided to the District Court upon issuance of the mandate. The judgment will take effect upon issuance of the mandate.

/s/ Patricia S. Connor

CLERK